

REMARKS

The above amendment with the following remarks is submitted to be fully responsive to the Office Action of July 14, 2004. Reconsideration of this application in light of the amendment and the allowance of this application are respectfully requested.

Initially, it is noted that Figures 4, 6 and 8 stand objected to for failing to include a "prior art" legend. In response, replacement sheets are provided herewith properly labeling Figures 4, 6 and 8 as prior art. Acceptance of these replacement sheets and withdraw this objection is respectfully requested.

Claims 1 and 6 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al. in view of Moon et al. In response, Applicants' representative conducted a meeting with the Examiner to discuss the prior art and possible amendments to independent claims 1 and 6. As a follow-on to that meeting, by this amendment, independent claims 1 and 6 are hereby amended to clarify the present invention over the prior art. As a result, Applicants' believe that newly amended independent claims 1 and 6 are not rendered obvious by the combination of Yamamoto et al. and Moon et al., nor by the combination of any other references of record.

The combination of Yamamoto et al. and Moon et al. fails to render the present invention as recited in newly amended independent claims 1 and 6 unpatentable for the following reasons. Neither Yamamoto et al. nor Moon et al. disclose important recited features of claims 1 and 6. Admittedly, Yamamoto et al. discloses evaluating the power transmission ability of belts while Moon et al. discloses a theoretical model to measure the transmission efficiency. However, as noted during the interview with the Examiner, neither Yamamoto et al. nor Moon et al. suggest the WD factor and the ST factor as claimed. The Examiner still has not shown where Yamamoto et al. and Moon et al. suggest these factors. Moreover, as a result of Yamamoto et al. and Moon et al. failing to disclose or even suggest the WD factor and ST factor as presently claimed, both Yamamoto et al. and Moon et al. also fail to suggest that the evaluation of a belt power transmission ability may be conducted based on a relational expression between the WD factor and the ST factor. Newly amended independent claims 1 and 6 specifically require a step of calculating WD factors and ST factors on each pulley side where the WD factor represents pressing force to each of the pulleys per belt unit length and the ST factor exhibits an effective tension of the frictional

power transmission belt per unit contact length. Both Yamamoto et al. and Moon et al. are silent in this respect. Moreover, both independent claims 1 and 6 require the step of finding a relational expression between the WD factor and the ST factor based on an average of the WD factors calculated and an average of the ST factors. There is absolutely no disclosure or remote suggestion in the Yamamoto et al. and Moon et al. references as to a determination of a relational expression between any factors based on an average of each of the factors calculated, much less the determination of a relational expression specifically between a WD factor and a ST factor based on an average of these specific factors calculated. Thus, the combination of the Yamamoto et al. and Moon et al. can not, and does not, render the present invention as recited in newly amended independent claims 1 and 6, obvious.

Accordingly, reconsideration and withdrawal of the rejection of independent claims 1 and 6 under 35 U.S.C. 103(a) is in order and respectfully requested.

Claims 2-5, 7 and 8 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al. in view of Moon et al. and further in view of Tajima et al. However, Tajima et al. fails to make up the shortcomings of Yamamoto et al. and Moon et al. as noted hereinabove. Thus, it is respectfully submitted that dependent claims 2-5, 7 and 8 are allowable in that they depend from what are believed to be allowable base claims 1 and 6, respectively, and a notice to that effect is respectfully requested.

In view of the foregoing, it is submitted that the present application is in condition for allowance and a notice to that effect is respectfully requested. However, if the Examiner deems that any issue remains after considering this response, he is invited to call the undersigned to expedite the prosecution and work out any such issue by telephone.

Respectfully submitted,



Tim L. Brackett, Jr.
Registration No. 36,092

NIXON PEABODY LLP
401 9th Street, N.W., Suite 900
Washington, D.C. 20004-2128
(202) 585-8000
(202) 585-8080 (Fax)
Customer No. 22204